

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yukio KATO et al.

Application No.: 10/594,595

Confirmation No.: 5586

Filed: September 28, 2006

Art Unit: 1632

For: THERAPEUTIC AGENTS AND
THERAPEUTIC METHODS FOR TREATING
INJURED TISSUE

Examiner: S. L. Chen

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 14, 2011

Sir:

Applicants note that the US-6,132,214-A1 (Suhonen et al.) reference which was filed in an Information Disclosure Statement (IDS) on September 28, 2006 has not been considered. An IDS containing 11 of the 12 references cited on the September 28, 2006 PTO/SB/08/a/b was filed on September 28, 2007 and was considered by the Examiner on October 14, 2009. The Examiner considered the September 28, 2006 IDS to be duplicative to the September 28, 2007 IDS as stated in the Office Action of October 22, 2009, page 18.

Applicants note that the IDS filed with the initial application, i.e. the September 28, 2006 IDS, is not completely duplicative because it contains a different US Patent than the US Patent Publication filed in the September 28, 2007 IDS. Specifically, the September 28, 2006 IDS listed US-6,132,214-A1 (Suhonen et al.), which does not appear on the September 28, 2007 IDS. Applicants request that US-6,132,214-A1 which is found on the September 28, 2006 IDS be reviewed and considered by the Examiner because it was properly filed on September 28, 2006.

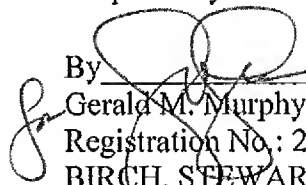
Applicants also note that the Lui J. et al. reference was considered by the Examiner on October 14, 2009 as noted on the PTO/SB/08 form that bears the Examiner's initials. However, this reference was resubmitted on November 20, 2007 to correct and include the proper volume and page number. Applicants request that the Examiner acknowledge having considered the Lui J. et al. reference having the proper citation as cited on the November 20, 2007 IDS.

Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact Susan W. Gorman Reg. No. 47,604 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: November 14, 2011

Respectfully submitted,

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